LUZERNE COUNTY COMMUNITY COLLEGE BOARD OF TRUSTEES <u>Audit, Finance, & Facilities Committee Meeting</u>

Monday, April 11, 2022 4:30 PM

Membership:

Susan E. Unvarsky, Committee Chair

George Brown

Holly Evanoski, Secretary

Joseph Esposito

Joseph Lettiere

Join Zoom Meeting

https://us06web.zoom.us/j/95437346256?pwd=Uzh2UDZhNXZqclc0czRTM2dRT1VJQT09

Dial: 1-646-558-865 Meeting ID: 954 3734 6256 Passcode: 348641

AGENDA

1. Meeting Summary, February 1, 2022 (Attach. 1) Susan E. Unvarsky, Committee Chair

2. Treasurer's Report (Attachment 2) Robert Linskey, Director, Accounting

3. Recommend Approvals: (Attachments 3A, 3B, 3C)

A. RFP, Financial Statement Preparation Services Cheryl Baur, Vice President of Finance

B. Purchasing Policy (REVISED) Vice President Baur

C. Authorize Transfer of Funds and Approve Vice President Baur

Capital Projects

Agenda items 3D-3G will be emailed on Monday, April 11th, 2022

D. BID #506. Furniture Replacement Natalie Staron, Finance Division Administrator

(bid opened 4/7)

E. Faucet Replacement Natalie Staron

(bid opened 4/7)

F. Drinking Fountain Replacement Natalie Staron

(bid opened 4/7)

G. Campus Center Water Infiltration Remediation Natalie Staron

(bid opened 4/7)

4. Informational Items: (Attachments 4A, 4B)

A. Log of Contracts & Agreements Natalie Staron

B. Summary of Payments Robert Linskey

C. Building 1 Switchgear Replacement Project Update Natalie Staron

D. RFP, Banking and Financial Services Vice President Baur (Proposals due 4/21 – to be presented as Work Session agenda item 4/26/22)

5. Nomination Committee Composition (Attach. 5) Committee Chair Unvarsky

6. Next meeting will be held Monday, June 6, 2022 at 4:30 p.m.

RECOMMENDATION

Recommend approval of Proposal for Financial Statement Preparation Services
Recommend Luzerne County Community College Board of Trustees approve the proposal to Kronick, Kalada, and Berdy & Co. for \$15,000.00 for year 1; \$15,750.00 for year 2 and \$16,500.00 for year 3 for a total cost of the proposal for 3 years in the amount of \$47,250.00.

Rationale:

I recommend Luzerne County Community College retain Kronick, Kalada, Berdy & Co. (Kronick) to prepare the financial statements. As outlined in their proposal, the scope of services is directly in line with the College's request. Since FY-2018, the College has retained Kronick to prepare its' financial statements. Kronick has provided services stellar in quality as well as meeting the deadlines set forth by the auditors, MaherDuessel. In addition, MaherDuessel will receive accurate and timely financial statements because Kronick can continue services without interruption.

Attachment 3A



TO: Thomas P. Leary, President

FROM: Cheryl Baur, Vice President of Finance

RE: Financial Statement Preparation Services

DATE: March 11, 2022

The advertising for the Request for Proposal was on February 15, 2022. The opening of the proposals was on March 9, 2022. One (1) accounting firm replied to the request.

 Kronick, Kalada, Berdy & Co.
 Year 1
 \$15,000

 Year 2
 \$15,750

 Year 3
 \$16,500

Total (3 years) = \$47,250

I recommend that we accept the proposal of Kronick, Kalada, Berdy & Co.

Rationale:

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C: Leonard Olzinski, Director of Purchasing

TITLE: PURCHASING POLICY

<u>DATE(S) OF POLICY AND POLICY REVISION APPROVALS:</u> April ____, 2022; **January 27, 2016**; **June 15, 2004**

"Responsible vendor" is defined as a vendor who has acceptable references while meeting the requested qualifications.

1. PURCHASING AGENT

The President of the College is authorized to act as Purchasing Agent with the Vice President of Finance and/or the Director of Purchasing to act as their agent(s).

2. PURCHASES COSTING LESS THAN \$2,500

Purchase of services, supplies, furniture and equipment costing less than \$2,500 in total may be obtained without solicitation of quotations; however, the Purchasing Office may secure quotations at its discretion if it feels that a better price, quality, or delivery may be obtained by such quotations. Every attempt will be made to secure items at an advantageous price to the College.

3. PURCHASES COSTING BETWEEN \$2,500 AND \$24,999

- (A) Purchase of services, supplies, furniture and equipment costing between \$2,500 and \$24,999 will only be made after solicitation of written quotations from at least three (3) qualified vendors
- (B) The College shall accept from a responsible vendor the lowest quotation or quotations, kind, quality and materials being equal, but the College reserves the right to reject any or all quotations or select a single item from any quotation.
- (C) A vendor list will be maintained by the Director of Purchasing, including all vendors who request to be included. When quotes are requested by the College, all firms on the vendor list who supply the goods or services sought will be invited to submit quotes.

4. PURCHASES COSTING \$25,000 OR MORE

- (A) All purchases costing \$25,000 or more shall be made only after due advertising as hereinafter provided: The term "Advertisement" whenever used in these regulations shall mean a notice published at least fifteen (15) business days before the award of any contract in one or more newspapers of general circulation published in Luzerne County.
- (B) Whenever bids are solicited in accordance with Section 4A, the said bid proposals shall be submitted by Certified Mail, return receipt requested, or must be delivered personally to the Purchasing Office prior to the time established in the bid form for bid openings. Bids must be submitted in a sealed envelope and properly addressed to identify it as a bid document. The bids will be opened publicly in the presence of the Purchasing Agent or other official designated by the President or Vice President of Finance, in accordance with the general conditions of bid and specifications prepared by the College.
- (C) The College shall accept from a responsible bidder the lowest bid or bids, kind, quality and materials being equal, but the College reserves the right to reject any or all bids or select a single item from any bid.

(D) After the bids have been analyzed and reviewed, a recommendation will be made by the Director of Purchasing to the President, who will in turn make a recommendation to the Board of Trustees. Upon approval of the Board of Trustees a contract will be awarded.

5. BID BONDS

- (A) All bids procured under Section 4 shall, upon stipulation of the College, be accompanied by a certified check or bond with corporate surety of not less than ten per cent (10%) of the amount bid. In the event any bidder shall, upon award of the contract to them, fail to comply with the conditions of the contract guaranteeing the performance of the contract, such certified check or bid bond shall be forfeited to the College.
- (B) The Board of Trustees may require, where, in its opinion, it is deemed necessary, a performance bond to guarantee the performance of a contract. The Purchasing Agent shall prepare bid specifications and general conditions.

6. PURCHASES MADE WITHIN A PURCHASING CONSORTIUM

The College will investigate the benefit of belonging to purchasing consortiums it is eligible to join to share purchasing strategies and knowledge, identify and investigate new technologies and to explore the possibility of leveraging the members' combined purchasing volume while supporting individual school business requirements. The Board of Trustees must approve the College's involvement with any purchasing consortium, including any requirements of the consortium's purchasing policy that conflicts with this policy.

- 7. EXCEPTIONS TO BID PROVISIONS (Exceptions are generally reviewed by the College Solicitor)
 The provisions as to quotations and bids set forth in these regulations shall NOT apply to the following:
 - (A) Purchase of patented and manufactured products offered for sale in a non-competitive market or solely by a manufacturer's authorized dealer or used equipment.
 - (B) Purchase of books and other instructional material for the library.
 - (C) Purchases for resale in the Auxiliary Enterprises, i.e., Bookstore, Student Activities.
 - (D) Contracts with public utility service companies under tariffs on file with the Public Utility Commission, contract made with another political subdivision of the Commonwealth of Pennsylvania, the Federal Government and any agency of the Commonwealth of Pennsylvania or any municipal authority.
 - (E) Contracts involving the services of members of the medical or legal profession, architects, educators, accountants or other personal services involving professional-expert advice. Profit will be negotiated as separate element of price for each contract in which there is no price competition. These professional services have Request For Proposals (RFPs) conducted before contracts are awarded.
 - (F) When the supplies or equipment required are for parts or components being procured as replacement parts in support of equipment specially designed by a manufacturer where data available is not adequate to assure that the part or component is identical with the part it is to replace or where contemplated procurement is to match or complement equipment or furniture components previously purchased.
 - (G) For supplies, furniture, or equipment needed immediately for the following reasons: 1) the urgency of need for the item(s) for the beginning or continuous operation of the College does not permit the delay involved in using the formal, competitive procedures; 2) the urgency of need for the item(s) is created due to circumstances outside the control of the College; or 3) the item(s) are needed due to a threat to public health, welfare or safety. The President or, in the absence of the President, the Executive Committee of the Board of Trustees, shall determine the existence of an emergency.

- (H) When the contemplated purchase is for technical, non-personnel services in connection with the assembly, installation or services (or the instruction of personnel therein) of equipment of a highly technical or specialized nature.
- (I) Purchases made under the Commonwealth of Pennsylvania's Cooperative Purchasing Program, Act 31, signed into law on July 9, 1971.

8. GENERAL PURCHASING REGULATIONS

- (A) The Purchasing Agent is authorized to establish charge accounts for College purchases, but no national charge cards, such as American Express, Master Card, Visa or gasoline charge cards, are to be secured in the name of the College without the specific authority of the Board of Trustees.
- (B) A Petty Cash Fund in the amount of \$1,000 shall be authorized which will be administered under the direction of the Vice President of Finance for emergency purchases as defined in Section 6G and only in amounts less than \$50.
- (C) A purchase order or a written contract shall be the only evidence of a contractual obligation between the College and a vendor, contractor, or supplier.
- (D) In the event any purchases made by the College are to be financed, the terms of such financing and the determination of whether or not the purchase shall be financed shall be approved by the Board of Trustees.
- (E) The Purchasing Agent of the College as defined herein-above is authorized to lease equipment each year provided the rental shall not exceed \$45,000 per annum in total. The Board of Trustees must approve any lease rentals in excess of this amount.
- (F) No College Trustee, officer or employee thereof shall, directly or indirectly, be a party to or be in any manner interested in any contract or agreement with the College for any matter, cause or thing whatsoever, by reason whereof any liability or indebtedness shall in any way be created against the College. If any agreement or contract shall be made in violation of these regulations, the same shall be null and void and no action shall be maintained thereon against the College.

Notwithstanding anything to the contrary contained in this section, this language shall not be applicable so long as the Trustee, officer or employee does not own more than a one percent ownership interest in the company awarded the contract.

- (G) No individual has the authority to enter into purchase contracts, or in any way to obligate the College, for procurement indebtedness unless specifically authorized to do so in writing by the Board of Trustees, President, Vice President of Finance or the Director of Purchasing. Any such negotiations are considered as unauthorized purchases and the individual will encounter a personal obligation to the vendor. Firms ordinarily doing business with the College will be advised that all purchases chargeable to the College must be authorized by an official college purchase order or contract signed by an authorized individual. Exclusive of the Petty Cash Procedures, the College will not reimburse officers or employees for the cost of any such purchases on behalf of the College unless previous. arrangements to that end have been made.
- (H) In order to obtain the best possible pricing on all purchases, the College prohibits purchasing items individually so as to bypass established bidding requirements.
- (I) Profit will be negotiated as separate element of price in all cases where cost analysis is performed.

9. CONSTRUCTION- AND REPAIR-RELATED REQUIREMENTS

A. CONSTRUCTION AND REPAIR CONTRACTS

The Board of Trustees may perform any construction, reconstruction, repairs, or work of any nature by its own maintenance personnel or may have the work performed under contract in the following circumstances, provided the use of external contracted services complies with federal and state labor regulations:

- (1) If a contract exceeds \$25,000, the College shall, with public notice, solicit competitive bids from at least three responsible bidders and shall award the contract to the lowest responsible bidder.
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- (4) As the Title 22, Chapter 35, Community College State Board of Education Regulations are revised and updated, the College Purchasing policies will likewise be revised and updated.
- (5) In an emergency in which any part of the College plant may become unusable, on the approval of the Pennsylvania Department of Education, a contract may be awarded without soliciting bids.

B. CONSTRUCTION BIDS AND BID BONDS

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The bidder to whom the contract is awarded shall furnish bonds to guarantee the performance of the contract and payment for labor and materials. Bonds shall be in compliance with the Public Works Contractors' Bond Law of 1967 (8 P.S. & 191 - 202). Failure to furnish bonds shall void the previous award.

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The Director of Purchasing will periodically assess bidding and purchasing practices, including an annual review of bids posted and successful bidders, to ensure the effectiveness of and compliance with the College Purchasing Policy.

ATTACHMENT 3B4

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RECOMMENDATION

BOARD OF TRUSTEES

Recommend Luzerne County Community College Board of Trustees authorize the transfer of funds and approve capital projects.

Recommend the Luzerne County Community College ("College") Board of Trustees authorize a transfer from the Bookstore Cash Reserves to the Plant Fund to be utilized for the prioritized capital projects.

The available funds, capital projects, and the estimated costs are:

	Available Funds/ (Estimated Project Cost)
Bookstore Cash Reserves	\$3,482,345.64
Building 1 Switchgear - matching funds +	
anticipated cost increase	(\$140,012.00)
Esports	(\$530,900.00)
Micro-Credential Lab	(\$450,000.00)
Concrete stairs btwn courtyard levels (4 sets)	(\$32,997.00)
Paving Main Parking Lot with Curb and	
Sidewalk Replacement	(\$1,415,220.36)
Building 7 Roof Replacement	(\$602,100.00)
REVISED SCOPE Water Line Replacement	(\$200,000.00)
Campus Center Boiler Replacement	(\$60,000.00)
Potential remaining balance	\$51,116.28

Final Board of Trustee approval of the actual funds transferred will be submitted with exact funding amounts when bids are opened and award recommendations are provided. All College policies and procedures will be followed.

Rationale:

The Bookstore Cash Reserves is available due to Follett Higher Education Group, Inc. assuming the management operations as of March, 2019. College administration compiled a list of infrastructure, expansion of technology program opportunities, and student centric capital projects to be addressed. A brief description of the projects for this allocation of funding includes:

Building 1 Switchgear Replacement – Replace the aged electrical equipment to avoid systems failures. This is a critical deferred maintenance project for the operation of the College and affects Buildings 1, 2, 8, and 9.

Esports Gaming and Student Activities – Renovate the former bookstore area needed to implement this program/curriculum on our campus and relocate the Student Activities. This renovation will support programming for this sport with a variety of job skills – gaming, production, athletic coaching, nutrition, etc.

Micro-Credential lab — Renovate space in the Hazleton Center for a micro-credential lab for applied technology skills. This will allow job skills to be provided to the Hazleton area population. The College is working with area business and industry to determine the offerings.

Concrete Stairs between courtyard levels (4 sets) — The current concrete stairs are cracking and breaking which creates a safety hazard and needs to be addressed immediately. This is a critical deferred maintenance project and affects campus egress.

Paving Main Parking Lot with Curb and Sidewalk Replacement – The current parking lot is 48 years old (moved to main campus in 1974) and was last repaved 15 years (2007) ago. The curbing and sidewalk also need to be replaced as a deferred maintenance project with a safety component.

Building 7 Roof Replacement – Replacement of the current, expired warranty, roof is needed as the roof is dry-rotting and leaks are becoming more frequent. Building 7 is the computer and business center with the majority of its rooms housing computer labs.

Water Line Replacement – This is a critical deferred maintenance project for the operation of the College as two (2) campus buildings are supported only by these specific water lines and would not have water if the lines were to fail. The project will include tying those two buildings into the water lines served by the water supply on the other side of campus.

Campus Center Boiler Replacement — Replace the existing boiler system with a new high efficiency boiler system. This is a deferred maintenance project.